

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO.: 5:06CR2**

UNITED STATES OF AMERICA

vs.

JAVIER CONSTANTINO FIGUEROA,

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's "Motion to Suppress Physical Evidence Siezed [sic] Pursuant to Warrant," filed June 29, 2006. In his Motion, Defendant seeks to suppress any evidence obtained during a December 15, 2005 search, contending that the affidavit in support of the search warrant was facially invalid. The Court is unable to address Defendant's Motion without a response from the Government.

Accordingly, **the Court directs the Government to respond to Defendant's Motion within ten (10) days of the date of this Order.**

The Clerk is hereby directed to send a copy of this Order to the United States Attorney and to Defense Counsel.

Signed: July 21, 2006



Richard L. Voorhees
United States District Judge

